

# SENATOR JOE BIDEN ON CIVIL RIGHTS

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*“What made me run for the Senate 35 years ago? Civil rights. I wanted to end the discrimination I saw. Thirty-five years later we have changed America and moved closer to our ideals, but new and more subtle sins are still there. It’s still my call to end the injustices I see.” –Senator Joe Biden*

## THE BIDEN PLAN: ENDING 21<sup>ST</sup> CENTURY DISCRIMINATION

**Judging the Judges:** The recent Supreme Court term proves that judges and justices can undo decades of progress on civil rights. That’s why Senator Biden has a well-earned reputation of being tough on judging judicial appointments. As chairman of the powerful Senate Judiciary Committee, he kept Robert Bork off the Supreme Court. More recently, as a senior member of the Committee, he strongly opposed putting Bush nominees John Roberts and Samuel Alito on the Supreme Court, fearing what unfortunately has proven true – they want to erase decades of progress for minorities and women. As the Bush Administration continues to try to pack federal courts with judges committed to a narrow view of the Constitution that denies minorities and women equal protection, Senator Biden will remain the voice of opposition.

**Ending Discrimination Based On Sexual Orientation:** Senator Biden believes legal recognition should not be denied same-sex couples. He advocates for re-examining federal laws, including the tax code, to ensure our national laws are not unfair to same-sex couples, and that committed adults who are adopting are not discriminated against because of sexual orientation. He supports letting states determine how to recognize civil unions and define marriage.

**Ending Don’t Ask, Don’t Tell:** Senator Biden supports ending the military’s Don’t Ask, Don’t Tell Policy. Twenty-four of the nations serving alongside U.S. forces in Iraq permit open service, and it has no negative impact on their forces or the morale of the soldiers. Senator Biden believes turning away patriotic Americans who volunteer to serve solely because of their sexual orientation is wrong.

**Equal Work, Equal Paycheck:** Today, with women still earning 77 cents for every dollar a man makes doing the same work, the Senator is a strong supporter of the Paycheck Fairness Act. It would help prevent pay discrimination by strengthening penalties should it occur. Senator Biden also supported increasing the federal minimum wage to \$7.25 an hour from \$5.15, where it had been stuck for 10 years, giving 13 million workers a pay raise.

**Stopping Discrimination at Work:** While workplace discrimination is not as obvious as when the Senator's ancestors faced "No Irish Need Apply," signs, today minorities, women, and gays hear excuses like, "she won't fit in," or "he's too qualified," as employers pass on them. It may be subtle, but it's hate in the heart, nevertheless. So Senator Biden supports the Employment Non-Discrimination Act to prohibit job discrimination of any kind. He also supports the Fair Pay Restoration Act to overturn a Supreme Court decision that makes it more difficult for women to bring pay discrimination cases.

**Punishing Hate Crimes:** Senator Biden is a strong supporter of the Local Law Enforcement Hate Crimes Prevention Act to expand federal and state coordination to fight hate crimes. Every year more than 7,000 hate crimes are committed. Senator Biden believes these acts not only hurt victims, they damage the values that are America. The Act would enable the Justice Department to assist local agencies in investigating and prosecuting crimes, and would expand the definition of hate crimes to include offenses based on sexual orientation, gender, or disability. Senator Biden also supports the Emmett Till Unsolved Civil Rights Crime Act which would dedicate resources at the Department of Justice and FBI to re-open unsolved murders from the civil rights era.

**Equal Access at the Ballot Box:** Today, there are more than 9,000 black and 6,000 Latino elected officials, largely due to the Voting Rights Act that put an end to literacy tests and poll taxes in the 1960s. In the early 1980s, Senator Biden helped expand the Act, and last year was an advocate for the Act's successful renewal. Senator Biden believes that more must be done to stop misleading voters, and to ensure votes are counted. He would: put a stop to deceptive practices – like passing out fliers telling people to vote on the wrong day; require electronic voting systems to have a paper trail; and make sure states adequately train poll workers. He also supports giving voting representation to the 600,000 residents in the District of Columbia who now have no voting members in Congress.

**Expanding Educational Opportunities:** The importance of a college degree has never been greater, yet over the next decade 2 million students will not attend college because of costs. Senator Biden believes that college should not become a luxury good. His College ACCESS legislation would: provide a \$3,000 refundable tax credit that would fully cover the average cost of tuition and fees at a two-year college, or cover more than half the cost of tuition and fees at a public four-year college, and expand Pell Grants to low-income students to \$6,300.

**Protecting Worker Rights to Bargain Collectively:** Senator Biden is a co-sponsor of the Employee Free Choice Act, a bill to ensure workers can form, join, or assist labor unions without interference from employers.

**Ending The Crack-Powder Sentencing Disparity:** In 1986, Congress established a draconian sentencing scheme that punished the crack form of cocaine far more severely than the powder form. Currently, mere possession of 5 grams of crack triggers a five-year mandatory minimum sentence, while it takes distribution or manufacture of 500 grams of powder cocaine to trigger that same sentence. The assumptions that led Congress to establish this disparity – that crack is inherently more dangerous and addictive than powder, that crack would devastate communities, and that prenatal exposure to crack was far more damaging than exposure to powder – have proved unfounded. Senator Biden has proposed legislation to implement the US Sentencing Commission’s recommendation to eliminate the 100:1 disparity between the two forms of the drug. He also supports increasing funding for prison- and jail-based drug treatment programs. Senator Biden is opposed to being soft on drug traffickers – he supports stiffer penalties for major drug traffickers and additional resources for the investigation and prosecution of them.

## THE BIDEN RECORD: THREE-DECADE MARCH FORWARD

**Protecting Affirmative Action:** Senator Biden has been a strong supporter of affirmative action. He opposed Republican attempts to ban affirmative action in federal contracts and to bar funds to administer affirmative action programs.

**Helping Americans With Disabilities:** Senator Biden always has been a strong supporter of the Americans with Disabilities Act (ADA). He has long championed efforts to allow Medicaid to provide home- and community-based support services needed by disabled individuals to remain out of institutions. He also fought to allow low-income families with disabled children to buy into the Medicaid program.

**Protecting Against Genetic Discrimination:** Senator Biden has fought to prohibit employers and insurance companies from collecting or using genetic information when making decisions about hiring, providing health coverage, or discriminating in the pricing of an insurance policy.

**Preserving the Privacy of Medical Records:** Senator Biden knows how important it is to patients that their personal medical information be kept private. He supports: making sure individuals’ medical information is not used against them or unknowingly sold for commercial profit, and ensuring that as we move toward more efficient, cost-saving electronic medical records, privacy interests remain a priority.

**Celebrating Martin Luther King, Jr:** Senator Biden was an original co-sponsor of the bill to designate a national holiday in honor of Martin Luther King, Jr., and helped guide its passage through the Senate.